

## ROUTING AND TRANSMITTAL SLIP

Date

17 October 1995

TO: (Name, office symbol, room number,  
building, Agency/Post)

Initials

Date

1. Doris Behuel (W-6-3)
2. Joretta Barsamian (W-6)
3. Alexis Strauss (W-1)
4. Cynthia Lane (W-6-3)

Project

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

## REMARKS

Letter to Laura Yoshii  
requesting coordination at the  
Duck Valley site.

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Investigation and  
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clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Room No.—Bldg.

Phone No.

5041-103

OPTIONAL FORM 41 (Rev. 1-94)

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probably contained petroleum hydrocarbons. Two, the Road Shop had various petroleum hydrocarbon storage tanks on-site, both above and below ground, that may have leaked diesel and/or gasoline into soils. Three, the Road Shop has stored various petroleum hydrocarbon products and other fluids in 55 gallon drums that appear to have leaked into soils. Four, the Road Shop has disposed of various, mostly unidentified waste fluids onto the ground surface. There are additional potential sources of contamination besides the Road Shop: diesel fuel lines through Owyhee constructed and maintained by the BIA, USTs at a former Texaco gasoline station that have now been abandoned, and USTs at the public elementary school which stores gasoline and diesel.



MEMORANDUM

SUBJECT: Duck Valley Reservation Remediation Project  
Owyhee, Nevada

FROM: Alexis Strauss, Acting Director  
Water Management Division

TO: Laura Yoshii, Director  
RCRA Division

The Water Management Division, Underground Injection Control Program ("UIC") is currently working on an investigation and potential clean-up of soil and groundwater contamination on the Duck Valley Indian Reservation in the community of Owyhee, Nevada. The RCRA Division became involved with this site earlier this year due to the presence of several underground storage tanks on the site. The purpose of this memo is to discuss coordination between our divisions on this site as well as to propose options for managing future clean-up activities.

Site Background

UIC has been involved with the Owyhee site for several years. Investigation to date has demonstrated extensive contamination of soils and groundwater with petroleum hydrocarbons. This contamination has forced the Tribe to close two drinking water wells and possibly threatens contamination of the two additional drinking water wells that now serve the community.

There are several potential sources for this contamination. A BIA Road Shop in Owyhee is located upgradient of the contamination and may have contributed to the contamination in one of several ways. One, the Road Shop disposed of waste fluids from automotive maintenance into a dry well; these fluids probably contained petroleum hydrocarbons. Two, the Road Shop had various petroleum hydrocarbon storage tanks on-site, both above and below ground, that may have leaked diesel and/or gasoline into soils. Three, the Road Shop has stored various petroleum hydrocarbon products and other fluids in 55 gallon drums that appear to have leaked into soils. Four, the Road Shop has disposed of various, mostly unidentified waste fluids onto the ground surface. There are additional potential sources of contamination besides the Road Shop: diesel fuel lines through Owyhee constructed and maintained by the BIA, USTs at a former Texaco gasoline station that have now been abandoned, and USTs at the public elementary school which stores gasoline and diesel.

This elementary school is owned and operated by the Elko County School District, which is an instrumentality of the State of Nevada.

#### EPA Actions To Date

On June 16, 1995, UIC issued an Emergency Order to the BIA directing BIA to investigate contamination in Duck Valley associated with the BIA roadshop and fuel lines. The Order further requires BIA to evaluate the need for clean-up and to perform clean-up that is demonstrated to be warranted. BIA has submitted a comprehensive Work Plan in response to this Order.

Other than the potential sources owned and operated by BIA, the Elko County School District ("Elko"), located 200 feet from the BIA Road Shop, owns two USTs that are at least twenty years old and has a removed UST sitting at ground surface on the premises of an abandoned Texaco station.

In April, 1995 the RCRA Division's Office of Underground Storage Tanks sent letters to BIA, Texaco, and the Elko County School District concerning the USTs in Owyhee. These letters requested information and integrity tests for the USTs. To date, there has been no response from Texaco or Elko. The BIA incorporated the UST requirements into the Work Plan they submitted to the UIC section in response to the Order.

#### Need for Coordination

BIA will soon be prepared to begin an extensive (and expensive) soil and groundwater investigation pursuant to its Work Plan. We are very concerned, however, with BIA's proceeding with its site investigation while there has been no information gathered about the Texaco and Elko USTs. These latter USTs are within a few hundred feet of BIA's facilities and areas of known groundwater contamination. The Texaco and Elko USTs might be sources of on-going additional contamination to the very areas that BIA will be investigating, and possibly, cleaning-up. Obviously, it is imperative that these USTs be investigated and any contamination associated with them be handled in a coordinated fashion with the BIA site investigation and/or clean-up.

Accordingly, it appears that we need to devise a successful multi-media approach to the Duck Valley contamination problem. WMD would like to offer two alternative suggestions: (1) the WMD and the RCRA Division could designate a joint Duck Valley team made up of staff from our respective divisions who will be responsible for working collaboratively to make sure that investigation of contamination from the BIA, Texaco and Elko proceeds in coordinated fashion. If this approach is adopted, the team can report to both WMD and RCRA management or just one of these managements. (2) The WMD, working closely with UST staff, could assume the lead for both the UIC and UST issues. We

took this approach in the Witco case, where the WMD managed both UIC and RCRA claims arising at Witco's oil refinery. The Witco case was settled successfully, with a more efficient use of EPA resources than if two divisions had been involved. WMD can address the USTs without relying on authority normally delegated to the RCRA division. The Safe Drinking Water Act, administered by the WMD, gives UIC the broad authority to act whenever there is imminent and substantial endangerment to an underground source of drinking water.

Thank you for your help in making this clean up project one that will be well coordinated, efficient and effective. If you have any questions, please call me or Doris Betuel.

SYMBOL	W-6-3	IN 63	W6			
SURNAME	Colonel Jans	Betuel	WMD			
DATE	17 Oct 95	10/18/95	10/19			

U.S. EPA CONCURRENCES

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